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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

THE UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUDY RAE JARVIS,

Defendant.

Case No. CR 11-00146 SBA

**STIPULATION AND
~~PROPOSED~~ ORDER TO
CONTINUE STATUS CONFERENCE
TO MARCH 4, 2014 AND TO
EXCLUDE TIME**

The parties are scheduled to appear before the duty magistrate for a status conference on February 25, 2014. The defendant has filed a Motion to Terminate Pre Trial Services Supervision and Release Defendant on her Personal Recognizance to be heard on March 4, 2014 at 9:30 a.m. in front of Magistrate Judge Donna Ryu.

The defendant, Judy Rae Jarvis, has been diagnosed with stage four ovarian cancer and is currently undergoing chemotherapy after her surgery on October 28, 2013 at John Muir Hospital in Walnut Creek. Mrs. Jarvis will be unable to appear in court until on or about March 4, 2014 due to the effects of chemotherapy.

For this reason, with the agreement of counsel for both parties and the defendant, the parties now stipulate and ask the Court to find and order as follows:

1. That the matter shall be set for status conference before the duty magistrate for March 4, 2014 at 9:30 a.m.

2. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from February 25, 2014 because of the defendant's serious medical condition. Failure to grant the requested continuance would unreasonably deny the defendant the right to appear in court.

3. Given these circumstances, the Court finds that the ends of justice served by excluding the period from February 25, 2014 to March 4, 2014, outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(3)(B)(4) and (7)(A).

4. Accordingly, and with the consent of the defendant, the Court orders that the period from February 24, 2014 through March 4, 2014, be excluded from the Speedy Trial Act calculations and under 18 U.S.C. § 3161(h)(3)(B)(4) and (7)(A).

IT IS SO STIPULATED:

Dated: February 24, 2014

/s/
BRIAN C. LEWIS
Assistant United States Attorney

Dated: February 24, 2014

/s/
DEBORAH G. LEVINE
Attorney for Judy Rae Jarvis

IT IS SO ORDERED:

Dated: 2/24/14

Kandis Westmore
KANDIS A. WESTMORE
United States Magistrate Judge